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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,712	08/29/2000	Rico Mariani	MS1-579US	1048

22801 7590 12/22/2006
LEE & HAYES PLLC
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SPOKANE, WA 99201

EXAMINER

CHEN, SHIN HON

ART UNIT	PAPER NUMBER
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2131

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	12/22/2006	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 12/22/2006.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

Office Action Summary	Application No.	Applicant(s)	
	09/650,712	MARIANI ET AL.	
	Examiner	Art Unit	
	Shin-Hon Chen	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6,10,19,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,10,19,21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-4, 6, 10, 19, 21, and 22 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6, 10, 19, 21, and 22 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Balasubramaniam et al. U.S. Pat. No. 6499109 (hereinafter Bal).
4. As per claim 1, Bal discloses a method comprising: a first electronic device deriving a digital signature and associating the digital signature with a web page only if the web page includes code to invoke a control object (Bal: column 3 lines 7-19: authenticode is generated for the ActiveX controls and the authenticode is associated with the web page when the ActiveX control is embedded in the web page and the authenticode is associated with the webpage; column 4 lines 52-57: the authorized URL is the URL that has passed the digital signature authentication); and subsequent to associating the digital signature with the web page, the first electronic device delivering the web page to a second electronic device capable of authenticating the digital signature such that the second electronic device executes at least a portion of the web page in response to authenticating the digital signature (Bal: column 7 lines 29-51: after

authenticating the digital signature, execute a portion of the web page by querying the browser to determine the URL of the webpage).

5. As per claim 2, Bal as modified discloses the method as recited in claim 1. Bal as modified further discloses the associating further comprises attaching the digital signature to the web page (Bal: column 3 lines 7-19: the authenticcode and the controls are embedded in the web page).

6. As per claim 3, Bal as modified discloses the method as recited in claim 1. Bal as modified further discloses in an event that the web page does not include code to invoke the control object, delivering the web page without a digital signature (Bal: column 7 lines 29-51: *determine* that a control object *is present* in the web page and then authenticate whether the web site is authorized, if the control object is not present, there is no digital signature).

7. As per claim 4, Bal as modified discloses the method as recited in claim 1. Bal as modified further discloses wherein the web page includes a confirmation module that is used by the electronic device to authenticate the digital signature (Bal: column 7 lines 41-52).

8. As per claim 6, Bal as modified discloses the method as recited in claim 1. Bal as modified further discloses the web page is generated in an active server page (ASP) environment (Bal: column 5 lines 8-28: the ActiveX compatible browsers).

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9. As per claim 10, Bal discloses the method as recited in claim 1. Bal as modified further discloses designating one or more sources of a web page authorized to invokes a control object (Bal: column 6 lines 20-28: use the ICSP-authorized web site).

10. As per claim 19, Bal as modified discloses the system as recited in claim 1. Bal as modified further discloses wherein the control object includes a confirmation module configured to authenticate the control object (Bal: column 6 lines 26-29).

11. As per claim 21, Bal as modified discloses the method as recited in claim 19. Bal further discloses wherein the confirmation module is further configured to determine if the web page comes from a source that is authorized to invoke the control object and the control object is invoked only if the source of the web page is authorized to invoke the control object (Bal: column 7 lines 26-51).

12. As per claim 22, Bal as modified discloses the method as recited in claim 19. Bal as modified further discloses wherein the confirmation module is called by the web page prior to the web page invoking the control object (Bal: column 7 lines 26-51).

Response to Arguments

13. Applicant's arguments filed on 11/20/06 have been fully considered but they are not persuasive.

Regarding applicant's remarks, applicant argues that the newly amended claim 1 differentiate from prior art in which prior art of record does not disclose a first electronic device deriving a digital signature and associating the digital signature with a web page only if the web page includes code to invoke a control object. However, Bal clearly discloses associating the authenticode to a web page when the web page contains ActiveX controls, which is code to invoke control object (Bal: column 3 lines 7-19: only if the web page contains activeX control will the digital signature be present). Therefore, applicant's argument is respectfully traversed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Shin-Hon Chen

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Examiner
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SC


AYAZ SHEIKH
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TECHNOLOGY CENTER 2100